

02-03-03

05:07pm

From-BAKER & DANIELS

2604601700

#9 Election
T-894 P.002/002 F-421
S. Zimmerman

PATENT
SIM0080 -Paper No. 6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
Stefan Tobolka) Group: 3721
Serial No.: 10/010,798)
Filed: November 13, 2001) Examiner: John Sipos
Title: HEAT SEALING AND CUTTING MECHANISM)
AND CONTAINER FORMING APPARATUS)
INCORPORATING THE SAME)

ELECTION UNDER 35 U.S.C. § 121

Assistant Commissioner for Patents
Washington, D.C. 20231

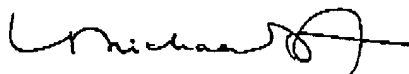
Sir:

Responsive to the Office Action (Paper No. 5) dated January 28, 2003, Applicant elects without traverse the invention of Claim Group I, which consists of claims 1-26, relating to a heat sealing and cutting mechanism or station.

In the event Applicant has overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicant hereby petitions therefor and authorizes that any charges be made to Deposit Account No. 02-0385, Baker & Daniels.

Should any question concerning any of the foregoing arise, the Examiner is invited to telephone the undersigned at 260-424-8000.

Respectfully submitted,



Michael D. Smith
Registration No. 40,181
Attorney for Applicant

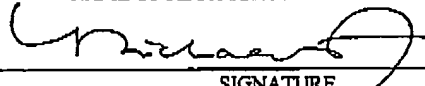
MDS8/nw

BAKER & DANIELS
111 E. Wayne Street, Suite 800
Fort Wayne, IN 46802
Telephone: 260-424-8000
Facsimile: 260-460-1700

CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FAXED TO TECHNOLOGY CENTER 3700 OF THE UNITED STATES PATENT AND TRADEMARK OFFICE AT RIGHT FAX NUMBER (703) 872-9302 ON: February 3, 2003.

MICHAEL D. SMITH, REG. NO. 40,181
NAME OF REGISTERED REPRESENTATIVE



SIGNATURE

February 3, 2003
DATE

BAKER & DANIELS

111 East Wayne, Suite 800, Fort Wayne, Indiana 46802

260-424-8000 ♦ FAX 260-460-1700 ♦ www.bakerdaniels.com

Indianapolis
ElkhartFort Wayne
Washington, D.C.South Bend
Qingdao, P.R. China**FAXED**
FEB - 3 2003**Facsimile Cover Letter**

CONFIDENTIALITY NOTICE: THE MATERIALS IN THIS FACSIMILE TRANSMISSION ARE PRIVATE AND CONFIDENTIAL AND ARE THE PROPERTY OF THE SENDER. THE INFORMATION CONTAINED IN THE MATERIAL IS PRIVILEGED AND IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL(S) NAMED BELOW. IF YOU ARE NOT THE INTENDED RECIPIENT, BE ADVISED THAT ANY UNAUTHORIZED DISCLOSURE, COPYING, DISTRIBUTION OR THE TAKING OF ANY ACTION IN RELIANCE ON THE CONTENTS OF THIS MATERIAL IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS FACSIMILE TRANSMISSION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE TO ARRANGE FOR RETURN OF THE FORWARDED DOCUMENTS TO US.

PLEASE DELIVER THE FOLLOWING PAGE(S) TO:

<u>Name</u>	<u>Company</u>	<u>Fax No.</u>	<u>Phone No.</u>
1. Examiner John Sipos	Patent and Trademark office	703-872-9302	

Fr m: Michael D. Smith**Date:** February 3, 2003**Comments:** _____**Return To:** N. Wappes**Total number of pages, including cover letter:** 2**FAX RECEIVED**
FEB 03 2003
GROUP 3700

**IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CALL THE
FAX DEPARTMENT AT 260-460-1682 AS SOON AS POSSIBLE.**